

# **EXHIBIT 9**

**REDACTED PUBLIC  
VERSION**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC., )  
)  
Plaintiff, )  
) Case No.  
vs. ) 5:14-cv-05344-BLF (PSG)  
)  
ARISTA NETWORKS, INC., )  
)  
Defendant. )  
\_\_\_\_\_)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF JUNG TJONG  
San Francisco, California  
Wednesday, November 11, 2015  
Volume I

Reported by:  
CARLA SOARES  
CSR No. 5908  
Job No. 2182970  
Pages 1 - 120

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UNITED STATES DISTRICT COURT  
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Plaintiff, )  
) Case No.  
vs. ) 5:14-cv-05344-BLF (PSG)  
)  
ARISTA NETWORKS, INC., )  
)  
Defendant. )  
\_\_\_\_\_)

VIDEOTAPED DEPOSITION OF JUNG TJONG,  
Volume I, taken on behalf of Defendant, at  
633 Battery Street, San Francisco, California,  
beginning at 10:01 a.m., and ending at 3:56 p.m., on  
Wednesday, November 11, 2015, before CARLA SOARES,  
Certified Shorthand Reporter No. 5908.

1 APPEARANCES:

2  
3 For the Plaintiff and the Witness:

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23

24 ALSO PRESENT: Sean Grant, Video Operator

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## INDEX

WITNESS

JUNG TJONG

EXAMINATION

Volume I

BY MR. FERRALL

8

## EXHIBITS

NUMBER

DESCRIPTION

PAGE

Exhibit 1 U.S. Patent No. 7,953,886, 10

Bates CSI-CLI-00355030 - 5041

Exhibit 2 Document headed "Patent 23

Application,"

Bates CSI-CLI-00024471 - 4486

Exhibit 3 Document entitled "SAN OS 44

Management APIs,"

Bates CSI-CLI-00660992 - 1001

Exhibit 4 Document headed "Introduction to 49

XML," Bates CSI-CLI-00661298 -

1303

Exhibit 5 Document containing metadata 49

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1	EXHIBITS		
2	NUMBER	DESCRIPTION	PAGE
3	Exhibit 6	Document entitled "Provisioning	56
4		Voice Over Packet Networks:	
5		A Metadata Driven, Service Object	
6		Based Approach"	
7			
8	Exhibit 7	U.S. Patent No. 7,698,694	58
9			
10	Exhibit 8	Document entitled "e-Government	61
11		Schema Guidelines for XML,"	
12		Bates CSI-CLI-00671458 - 1496	
13			
14	Exhibit 9	Email string, top email to	63
15		Pradeep Kathail from John Ellis,	
16		dated 11-25-03,	
17		Bates CSI-CLI-01114666 - 4667	
18			
19	Exhibit 10	Document entitled "IOS	71
20		Programmatic Interface	
21		Architecture, An alternative -	
22		PI-lite approach,"	
23		Bates CSI-CLI-00023800 - 3834	
24			
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2	NUMBER	DESCRIPTION	PAGE
3	Exhibit 11	Typewritten document,	78
4		Bates CSI-CLI-00728047 - 8049	
5			
6	Exhibit 12	Document headed "Document	83
7		Number EDCS-XXXXXX"	
8			
9	Exhibit 13	Document entitled "IOS-XS XML API	84
10		and IOS-PI Data Model Comparison,"	
11		Bates CSI-CLI-00661597 - 1609	
12			
13	Exhibit 14	Document entitled "NMTG Concept	87
14		Commit for IOS Native Programmatic	
15		Interface," Bates CSI-CLI-00023909 -	
16		3963	
17			
18	Exhibit 15	Document entitled "Project Name:	113
19		'Sharknose,'"	
20		Bates CSI-CLI-00678679 - 8718	
21			
22	Exhibit 16	Document entitled "Innovate	116
23		Design Deliver NSSTG,"	
24		Bates CSI-CLI-00871574 - 1644	
25		--oOo--	

1 San Francisco, California 09:28:55  
2 Wednesday, November 11, 2015  
3 10:01 a.m.  
4  
5 P R O C E E D I N G S 09:33:54  
6 THE VIDEO OPERATOR: Good morning. We're  
7 on the record. The time is 10:01 a.m., and the date  
8 is November 11th, 2015.  
9 This begins the videotaped deposition of  
10 Jung Tjong. My name is Sean Grant here with our 10:02:04  
11 court reporter, Carla Soares. We're here from  
12 Veritext Legal Solutions at the request of counsel  
13 for defendant.  
14 This deposition is being held at  
15 Keker & Van Nest LLP in San Francisco, California. 10:02:16  
16 The caption of this case is Cisco Systems, Inc.,  
17 versus Arista Networks, Inc., Case No.  
18 5:14-cv-05344-BLF (PSG)  
19 Please note that audio- and  
20 video-recording will take place until all parties 10:02:34  
21 have agreed to go off the record. Microphones are  
22 sensitive and may pick up whispers, private  
23 conversations, or cellular interference.  
24 At this time, will counsel please identify  
25 themselves and state whom they represent. 10:02:46

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1 MR. FERRALL: Brian Ferrall of Keker & 10:02:50  
2 Van Nest on behalf of the defendant Arista  
3 Networks.

4 MR. ROSEN: David Rosen of Keker &  
5 Van Nest on behalf of defendant Arista Networks. 10:02:57

6 MR. NEUKOM: John Neukom and Jason Liu on  
7 behalf of Cisco, and here today for the witness.

8 THE VIDEO OPERATOR: Thank you.

9 Will the certified court reporter please  
10 swear in the witness. 10:03:08

11 JUNG TJONG,  
12 having been administered an oath, was examined and  
13 testified as follows:

14 EXAMINATION

15 BY MR. FERRALL: 10:03:19

16 Q Good morning. Please state your full  
17 name.

18 A Jung Tjong.

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q Have you ever sat for a deposition before?

23 A No.

24 Q Okay. I take it your counsel has  
25 explained the rules of this procedure to you 10:03:49

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1 Q So let's go back to the first half of the 10:32:29  
2 2000s. Can you -- do you recall what project or  
3 projects you were working on in that period that  
4 ultimately led to the work that's described in the  
5 '886 patent? 10:32:52

6 A I was part of a team -- I was part of a  
7 project to implement a programmatic interface into  
8 IOS.

9 Q And to clarify, what's IOS?

10 A IOS, this is Cisco IOS, Internet operating 10:33:32  
11 system, I believe.

12 Q What's a programmatic interface?

13 A Programmatic interface in our term means  
14 machine interface to manage IOS.

15 Q Can you explain, just in general terms, 10:34:04  
16 what would be different about a programmatic  
17 interface as opposed to whatever was used to manage  
18 IOS absent a programmatic interface?

19 A IOS is built with the command line  
20 interface intended for human user from day one or 10:34:35  
21 primarily. So programmatic interface is intended  
22 for machine as opposed to human.

23 Q How would the programmatic interface --  
24 strike that.

25 What do you mean by "intended for machine 10:35:14

1 technical materials all the time. That's how we 11:42:13  
2 learn.

3 Q Has XML been standardized by any group?

4 MR. NEUKOM: Objection. Vague, calls for  
5 opinion testimony and legal conclusion. 11:42:39

6 THE WITNESS: It's a W3C. W -- it's a  
7 standard.

8 BY MR. FERRALL:

9 Q By W3C?

10 A Yes. 11:43:02

11 Q And tell me, what's W3C, do you know?

12 A It's a standard body. World Wide Web  
13 Consortium.

14 Q Consortium? So W3 stands for World Wide  
15 Web? 11:43:34

16 A I think so.

17 Q Do you know if there are different  
18 versions of XML?

19 MR. NEUKOM: Objection. Vague.

20 THE WITNESS: I think there are various 11:43:58  
21 variations of those. I don't recall the -- XML  
22 itself I think was derived from something called  
23 SGML, if I'm not mistaken. And then there are other  
24 variations of markup language.

25 /// 11:44:22

1 I, the undersigned, a Certified Shorthand 15:56:48  
2 Reporter of the State of California, do hereby  
3 certify:

4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth; 15:56:48  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing transcript is 15:56:48  
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to  
13 the original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [ ] was [x] was not requested. 15:56:48

16 I further certify I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date  
20 subscribed my name. 15:56:48  
21 Dated: 11/17/2015

22  
23 Carla Soares

24 CARLA SOARES

25 CSR No. 5908 15:56:48

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